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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : ABBOTT, *et al.*
Application No. : 10/711,517
Filed : September 23, 2004
Title: : USING LIQUID CRYSTALS TO DETECT AFFINITY
MICROCONTACT PRINTED MOLECULES

Attorney Docket No. : 054030-0066
Entity : Small
Examiner : Christine E. Foster
Art Unit : 1641
Confirmation No. : 5516

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being electronically submitted, facsimile transmitted or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 19, 2006

By: /Sonali S. Srivastava/

Name: Sonali S. Srivastava

RESPONSE AND AMENDMENT

In response to an Office Action dated November 21, 2005, Applicant requests three months extension of time. Further, please amend the above identified application as indicated below.

Amendments to the Claims are reflected in the Listing of Claims which begins on page 2 of this paper.

Amendments to the Specification begin on page 8 of this paper.

Remarks/Arguments begin on page 9 of this paper.

Replacement Drawings begin following page 22 of this paper

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The Examiner in this case relies on a conclusory statement. Instead of identifying a real reason to combine the references, the Examiner merely cites the claim elements and then states: “Therefore it would have been obvious to one of ordinary skill in the art to employ the method of detecting a ligand of Bernard et al. using the detection surface of Abbott et al. because Abbott et al. teach that liquid crystal detection surfaces do not require labeling of the ligand as was performed in Bernard et al.” If anything, this is evidence that Abbott actually teaches away from Bernard et al. Indeed, there is no basis in any of the cited references for combining a paper requiring a radioactive label with a patent teaching label-free detection.

Accordingly, Applicant believes that independent claim 1, and all claims that depend from it, namely claims 2-11 and 13-23 are allowable and a notice regarding the same is respectfully requested.

CONCLUSIONS

It is respectfully submitted that claims 1-11 and 13-23 are in condition for allowance and notice to that effect is earnestly solicited. The Examiner is urged to telephone the undersigned in the event a telephone discussion would be helpful in advancing the prosecution of the present application. The Office is authorized to charge the processing fee or any other surcharges or underpayment, as deemed necessary and appropriate, to the Deposit Account 07-1509 of Godfrey & Kahn, S.C.

Respectfully submitted,

GODFREY & KAHN, S.C.

Dated: May 19, 2006 _____

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